

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Kevin Patrick Plantin,

Civil No. 07-163 (PAM/AJB)

Petitioner,

v.

ORDER

Joan Fabian, Minnesota Commissioner of
Corrections, & Robert Feneis, Warden of Minnesota
Correctional Facility in Rush City, MN

Respondents.

This matter is before the Court on a Report and Recommendation from Magistrate Judge Arthur J. Boylan dated January 29, 2008. There being no objections filed to Magistrate Judge Boylan's Report and Recommendation, **THE COURT HEREBY ORDERS** that:

1. Petitioner's Application for a Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2254 (Docket No. 1) is **DENIED**; and
2. The action is **DISMISSED with prejudice**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: March 6, 2008

s/ Paul A. Magnuson
Paul A. Magnuson
United States District Court Judge